HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.3178 of 2007

Date: 20-02-2007.

Between :

M/s.Shalimar Agrotech Limited, Hyderabad,
rep. by its Managing Director.

.....Petitioner

And

Assistant Commissioner of Customs, Kakinada-I &
Others.

.....Respondents.

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.3178 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

Pending appeal, an application for grant of stay has been filed by the petitioner before respondent No.3 on 05.02.2007. His grievance is that the petition has not been decided and in the meantime, respondents contemplate coercive measures to recover the disputed liability and invoke the bank guarantee given by the petitioner at an earlier stage.

Since an application for stay has been pending, it would be fair to wait till that application is decided. Therefore, we direct the petitioner to approach the 3rd respondent by 23.02.2007 and the 3rd respondent is directed to dispose of the application for stay by 26.02.2007. With these observations, the writ petition is

disposed of. No costs.

BILAL NAZKI, J

20th February 2007.

G. BHAVANI PRASAD, J

N.B:
Furnish copy of order by tomorrow.

(B/o)

ajr